



**CITY COUNCIL  
MEETING MINUTES**

**August 3, 2009 7:30 PM**

**I. CALL TO ORDER**

**A. Flag Salute**

Mayor Peter B. Lewis called the meeting to order at 7:30 p.m. and led those in attendance in the Pledge of Allegiance.

**B. Roll Call**

Mayor Lewis and the following Councilmembers were present: Rich Wagner, Sue Singer, Gene Cerino, Nancy Backus, Bill Pelosa, Lynn Norman, and Virginia Haugen.

Staff members present included: City Attorney Daniel B. Heid, Assistant Planning, Building and Community Director Kevin Snyder, Information Services Director Lorrie Rempher, Parks, Arts and Recreation Director Daryl Faber, Finance Director Shelley Coleman, Human Resources/Risk and Property Management Director Brenda Heineman, Public Works Director Dennis Dowdy, Storm Drainage Engineer Tim Carlaw, and Deputy City Clerk Cathy Richardson.

**C. Announcements and Appointments**

**1. Announcements**

There was no announcement.

**2. Appointments**

There was no appointment for Council consideration.

**D. Agenda Modifications**

Agenda modifications included transmission of revised Ordinance No. 6247 under Item VIII.A.1, revised Resolution No. 4502 under Item VIII.B.1, and transmission of Exhibit B to Resolution No. 4506 under Item VIII.B.2.

**II. CITIZEN INPUT, PUBLIC HEARINGS & CORRESPONDENCE**

**A. Public Hearings**

**1. Extension of Moratorium**

O3.1

Resolution No. 4300, adopted January 22, 2008, and extended and amended by Resolution Nos. 4321, 4383, and 4433, established an initial six-month moratorium on the filing of land use applications, building and grading permit applications in the drainage area contributing surface flows to Mill Creek tributaries 0045, 0047, 0048 and 0053 as identified by King County and which moratorium was extended for an additional six-month period by Resolution No. 4500 on June 15, 2009.

Storm Drainage Engineer Tim Carlaw reported that the extension of the existing moratorium provided additional time for the following:

- Allow King County time to continue with their commitments regarding projects and maintenance work in the downstream channel.
- Allow the City of Auburn time to complete the Comprehensive Drainage Plan.
- Allow the City of Auburn time to develop more stringent developer design criteria in accordance with mandates of the City's National Pollution Discharge Elimination System (NPDES) permit.

Mr. Carlaw displayed and reviewed a map of the moratorium area.

At 7:37, Mayor Lewis opened the public hearing.

Rocky Shuck, 6514 South 296th Street, Auburn  
Mr. Shuck indicated that he owns property within the moratorium area. He wishes to subdivide his property into one acre parcels and is unable to do so with the current moratorium in place.

No one else in the audience requested to speak.

At 7:39, Mayor Lewis closed the public hearing.

**B. Audience Participation**

*This is the place on the agenda where the public is invited to speak to the City Council on any issue. Those wishing to speak are reminded to sign in on the form provided.*

Nicole Patrino-Salter 31021 132<sup>nd</sup> Way SE, Auburn

Ms. Patrino-Salter thanked Mayor Lewis and Councilmembers for their efforts related to Auburn City Code amendments. Ms. Patrino-Salter urged Councilmembers to lift the moratorium on conditional use permits prior to the moratorium expiration and spoke regarding mixed use developments. Ms. Patrino-Salter also spoke regarding traffic and wetland issues.

Karen L. Campbell, 31049 129<sup>th</sup> Avenue SE, Auburn

Ms. Campbell concurred with statements of Ms. Patrino-Salter and thanked Mayor Lewis and Councilmembers for their efforts

Dwight Hauck, 31110 129<sup>th</sup> Avenue SE, Auburn

Mr. Hauck spoke regarding traffic issues and road maintenance.

Mayor Lewis pointed out that developers are only required to improve the roadway directly in front of their property and spoke regarding efforts and expenses related to maintenance and improvements of existing roadways within the City.

**C. Correspondence**

There was no correspondence for Council review.

**III. COUNCIL COMMITTEE REPORTS**

A3.7.6

**A. Municipal Services**

Chair Cerino reported that the Municipal Services Committee met on July 27, 2009 at 4:00 p.m. The Committee reviewed and approved consent items and Ordinance No. 6247. The Committee also discussed the Valley Cities Broadband grant and ongoing expansion of fiber optics in the valley corridor, on-line crime reports, golf course restaurant revenues, red light photo enforcement and installation of cameras at additional locations, South Correctional Entity (SCORE) regarding construction of a new misdemeanor facility, and the shopping cart program. The next regular meeting of the Municipal Services Committee is scheduled for August 10, 2009 at 4:00 p.m.

**B. Planning & Community Development**

Chair Norman reported that the Planning and Community Development Committee met on July 27, 2009 at 5:00 p.m. The Committee first held an executive session on potential litigation. The Committee discussed accepting construction of the Bird Viewing Tower project and the water use efficiency program including State mandates for municipal water suppliers. The Committee accepted public comment on the City's water utility. The Committee also discussed Ordinance 6251 related to the storm drainage utility, draft Comprehensive Water Plan, and Ordinance No. 6253. The Committee also conducted a special meeting on July 13, 2009 at which the Committee reviewed and provided staff with direction on text amendment approach options to Auburn City Code Title 18 zoning that would address the current moratorium on filing of conditional use permit applications for multi-family developments in the C-1, Light Commercial zones. The Planning Commission will conduct a public hearing on the text amendments on August 4, 2009 at 7:00 p.m. The Committee also discussed population targets and a caveat that cities have the infrastructure to support the population target, and signage and temporary measures to assist businesses that are experiencing financial challenges due to the economy. The next regular meeting of the Planning and Community Development Committee is scheduled for August 10, 2009 at 5:00 p.m. The Committee will also conduct joint meetings with the Planning Commission on August 4, 2009 at 5:30 p.m. and, if needed, on August 11, 2009 at 6:00 p.m.

**C. Public Works**

Chair Wagner reported that the Public Works Committee met this afternoon at 3:00. The Committee approved several right-of-way use permits, including a permit for the Auburn Good Ol' Days parade and discussed and recommends approval of contract administration items, Ordinance No. 6251, and Resolution No. 4207. The Committee also discussed population targets, Resolution No. 4508, Ordinance Nos. 6211 and 6247, draft Comprehensive Water Plan, code revisions on public improvement standards and undergrounding power, and capital projects status report. The next regular meeting of the Public Works Committee is scheduled for August 17, 2009 at 3:00 p.m.

**D. Finance**

Chair Backus reported that the Finance Committee met this evening at 6:30. The Committee discussed and recommends

approval of claims and payroll vouchers, Resolution Nos. 4502, 4506, 4508, and 4511. The Committee also discussed second quarter financial reports and Resolution No. 4507. The next regular meeting of the Finance Committee is scheduled for August 11, 2009 at 6:30 p.m.

**E. Community Center**

Chair Wagner reported that no meeting of the Community Center Committee has been scheduled since his last report.

**F. Downtown Redevelopment**

Chair Norman reported that the August 11, 2009 meeting of the Downtown Redevelopment Committee has been cancelled. The next regular meeting of the Downtown Redevelopment Committee is scheduled for August 25, 2009 at 4:00 p.m.

**IV. REPORTS**

*At this time the Mayor and City Council may report on significant items associated with their appointed positions on state, regional and local organizations.*

**A. From the Council**

Deputy Mayor Sue Singer reported that she substituted for the Vice President of the Puget Sound Regional Council (PRSC) at the PRSC Executive Committee meeting and also chaired for the Vice President of PRSC at the Operations Committee meeting. The PRSC approved transportation funds for the region for years 2010-2011. She and Councilmember Wagner have been working on a project to obtain stimulus funds for the Environmental Park District (EPD) and for a new business incubator known as the Auburn Scientific Center for Emerging New Technologies (ASCENT) building. Deputy Mayor Singer reported Councilmember Wagner has brought in several professors from Washington State University (WSU) who will perform research on a complicated project at the EPD with WSU graduate students in the fall. Council is hoping to partner with WSU on several projects within the EPD. The incubator building will house and mentor new businesses that come out of that research and other new businesses that might be recruited into the area. The City of Auburn is partnering with the City of Tacoma and the William Factory Incubator. The City of Auburn is receiving private sector support from companies such as Weyerhaeuser, Mithun, and Parametrix. Deputy Mayor Singer has been meeting with property owners in the area to share the City's progress in the EPD. She and other Councilmembers toured an

Auburn business called Phase 3 Energy to see an emerging technology which takes exhaust from manufacturing buildings and turns it into electricity. Phase 3 Energy currently employs twenty-eight employees and anticipates growth to four-hundred and sixty employees. Phase 3 Energy has expressed interest in moving into the EPD. She and Mayor Lewis also met with Waste Management to discuss emerging, new technologies that they would like to bring to Auburn. Deputy Mayor Singer met with Tacoma councilmembers to discuss their commitment to partner with the City of Auburn for federal grant funds. Deputy Mayor Singer also noted that the Veterans Conservation Corp, working through Green River Community College, recently performed volunteer work at the Auburn Environmental Park. The Veterans Conservation Corp is another City of Auburn partnership.

Councilmember Norman reported on the progress of the Barrier Free Playground. The Committee is forming a task force and working with professionals to assist with the development of plans for the playground. The Committee has received very positive responses from the community, has received some donations, and is still applying for grant funds.

Councilmember Pelosa reported that he has been working with the Lower Green Agriculture Commission regarding drainage issues that need to be mitigated by King County in the area of South 277<sup>th</sup> Street. King County will be starting some drainage projects in the near future. He will meet again at months end for project status updates. Councilmember Pelosa also attended the Auburn Airport Advisory Board meeting to discuss flood plan mitigation, taxiway construction update, ceiling header repairs on hangars two through eight, cleaning of the eighty-eight catch basins, Airport rules and regulations, and north fence repairs. Councilmember Pelosa noted that the Auburn Municipal Airport is the busiest municipal airport in the region. Councilmember Pelosa also attended the Water Resource Inventory Area (WRIA 9) groundbreaking ceremony on the Duwamish Estuary for the North Winds Weir restoration project. The expansion will enhance the existing mudflat and marsh to increase juvenile salmon survival and improve the habitat for aquatic life, birds and wildlife. He also attended the WRIA 9 Management Committee meeting to discuss the 2010 budget and an Interlocal agreement between WRIA 9 and King County, provider for the salmon habitat plan. In lieu of funding, Seattle will be contributing engineering and science in-kind labor support. He also toured the Glacier Recycling Facility, which recycles demolition

materials. Councilmember Pelosa reminded the public that the Auburn International Farmers Market is held every Sunday from 10:00 a.m. to 3:00 p.m. and directed citizens wishing to volunteer to the Mayor's office.

Deputy Mayor Singer thanked Planning Department staff for their efforts related to the marketing proposal for the ASCENT building.

**B. From the Mayor**

Mayor Lewis reported on a meeting of the South County Area Transportation Board (SCATBd) and their efforts to get King County to map local arterials, including their condition, throughout the four county PSRC areas. Those efforts were originally spearheaded by Auburn staff members. He also attended a South Correctional Entity (SCORE) meeting to discuss construction of a new jail facility. SCORE is comprised of seven south county cities which were forced by King County to find alternatives to housing inmates at the King County facility. The proposed facility will be located in Des Moines.

Mayor Lewis also attended the Suburban Cities Board of Directors meeting, of which he is president. The Board met with the King County Council Chair to discuss King County's budget issues. He will also be meeting with the King County Executive to discuss King County's budgetary crisis. Mayor Lewis also met with the Valley Cities Association to discuss a fiberoptic network that will run east of Fife to Tukwila which will provide a backbone that can be enlarged upon over generations. It will start with public safety as the main use of the fiberoptic network.

Mayor Lewis also reported on the recent visit of the youth ambassadors from Auburn's sister city, Tamba, Japan. The students stayed with host families in the community. Seven youth ambassadors from Auburn will be visiting Tamba and will also be staying with host families to experience the culture and diversity of Japanese citizens.

Councilmember Wagner spoke on behalf of the Auburn Arts Commission and reported on the Artrageous event, which was devised by Parks Department staff. The event was in celebration of the 20<sup>th</sup> anniversary of the Arts Commission and included participation by professional artists who worked with children to learn many different styles and types of artwork. Councilmember

Wagner commended the efforts of Parks Department staff for this very successful event.

Mayor Lewis stated that Artrageous was outrageous and an outstanding event. There were approximately twenty booths, each with a different kind of art. The event was aimed at involving children and was used as a teaching tool, encouraging learning in a fun manner. Mayor Lewis also reported on the Bon Adori festival which has been a tradition in Auburn for generations. Bon Adori is a celebration of the Japanese summer festival

**V. CONSENT AGENDA**

*All matters listed on the Consent Agenda are considered by the City Council to be routine and will be enacted by one motion in the form listed.*

**A. Minutes**

1. **Minutes of the July 20, 2009 regular City Council meeting.**

**B. Vouchers**

F4.9.2, F4.9.5

1. **Claims**  
Claims check numbers 387392 through 387851 in the amount of \$3,108,307.55 and dated August 3, 2009.
2. **Payroll**  
Payroll check numbers 526968 to 527070 in the amount of \$324,263.51 and electronic deposit transmissions in the amount of \$1,210,651.31 for a grand total of \$1,534,914.82 for the pay period covering July 16, 2009 to July 29, 2009.

**C. Contract Administration**

1. **Public Works Project Number CP0909**  
O4.11.1 CP0909  
City Council grant permission to enter into Consultant Agreement No. AG-C-374 with Carollo Engineers for Engineering Services for Project No. CP0909, Academy and Lakeland Hills Booster Pump Stations Improvements.
2. **Public Works Project Number CP0815**  
O5.2 CP0815



City Council award Contract 09-02, Project No. CP0815, S. 277<sup>th</sup> St. Reconstruction Project Phase II – Mary Olson Farm Improvements, to Bernard Commercial on their low bid of \$37,760.00 plus WA state sales tax of \$3,587.20 for a total contract price of \$41,347.20.

**3. Public Works Project Number C504A**

O4.6.3 C504A

City Council approve Change Order No. 4 in the amount of \$136,938 to Contract 05-17 with Interwest Development for work on project C504A, R Street SE Utility Improvements.

**4. Public Works Project Number C307B**

O4.10.1 C307B

City Council accept the Project Design (Pre-Construction activities), as required by the Public Works Trust Fund Board and award Contract 08-26, Project Number C307B, Citywide Intelligent Transportation System (ITS) Phase 1B, to Signal Electric on their low bid of \$712,236.20.

**5. Planning Department Project Number C412B0**

O5.1.2 C412B0

City Council approve Final Pay Estimate No. 7 for Small Works Contract 08-21 in the amount of \$508.70, for a total contract price of \$158,018.09, with C Tucker LLC Construction and accept construction of Project No. C412B0, Auburn Bird Viewing Tower.

Deputy Mayor Singer moved and Councilmember Wagner seconded to approve the consent agenda.

MOTION CARRIED UNANIMOUSLY. 7-0.

**VI. UNFINISHED BUSINESS**

There was no unfinished business.

**VII. NEW BUSINESS**

There was no new business.

**VIII. ORDINANCES AND RESOLUTIONS**

**A. Ordinances**

**1. Ordinance No. 6247**

O1.2

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 10.36.020, 10.36.175, 10.36.205, 10.36.240, 10.36.255, 10.36.262, 10.36.265, 10.36.268, 10.36.270 and 10.36.350 of the Auburn City Code relating to stopping, standing, and parking

Councilmember Cerino moved and Councilmember Peloza seconded to introduce and adopt Ordinance No. 6247.

Councilmember Haugen spoke in opposition to Ordinance No. 6247.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

**2. Ordinance No. 6251**

O4.8

An Ordinance of the City Council of the City of Auburn, Washington, amending Sections 13.48.005, 13.48.010, 13.48.190; and 13.48.210 of the Auburn City Code relating to the City's storm drainage utility

Councilmember Wagner moved and Councilmember Cerino seconded to introduce and adopt Ordinance No. 6251.

MOTION CARRIED UNANIMOUSLY. 7-0.

**B. Resolutions**

**1. Resolution No. 4502**

F6.16

A Resolution of the City Council of the City of Auburn, Washington, designating a Revitalization Area, and authorizing an application to the State Department of Revenue for local revitalization financing, as provided for in Chapter 270, Laws of 2009

Councilmember Backus moved and Councilmember Peloza seconded to adopt Resolution No. 4502.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

**2. Resolution No. 4506**

A5.3.37

A Resolution of the City Council of the City of Auburn, Washington, endorsing the efforts of the Valley Cities Association and authorizing the Mayor to apply for a federal grant to fund broadband opportunities offered through the U.S. Department of Commerce

Councilmember Backus moved and Councilmember Pelozo seconded to adopt Resolution No. 4506.

MOTION CARRIED UNANIMOUSLY. 7-0.

**3. Resolution No. 4507**

O4.9.1 C207A, A3.16.9

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute a Local Agency Agreement between the City of Auburn and Washington State Department of Transportation relating to Project No. C207A, A Street NW Extension

Councilmember Wagner moved and Councilmember Cerino seconded to adopt Resolution No. 4507.

MOTION CARRIED. 6-1. Councilmember Haugen voted no.

**4. Resolution No. 4508**

F4.6.1

A Resolution of the City Council of the City of Auburn, Washington declaring certain items of property as surplus and authorizing their disposal

Councilmember Backus moved and Councilmember Pelozo seconded to adopt Resolution No. 4508.

MOTION CARRIED UNANIMOUSLY. 7-0.

**5. Resolution No. 4511**

A3.12.5

A Resolution of the City Council of the City of Auburn, Washington, authorizing the Mayor and City Clerk to execute an agreement between the City of Auburn and Foster Pepper, PLLC for legal services

Councilmember Backus moved and Councilmember Pelosa seconded to adopt Resolution No. 4511.

MOTION CARRIED UNANIMOUSLY. 7-0.

**IX. ADJOURNMENT**

There being no further business to come before the Council, the meeting adjourned at 8:37 p.m.

APPROVED THE \_\_\_\_\_ DAY OF AUGUST 2009.

\_\_\_\_\_  
Peter B. Lewis, Mayor

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Cathy Richardson, Deputy City Clerk

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Internet: <http://www.auburnwa.gov>